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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI

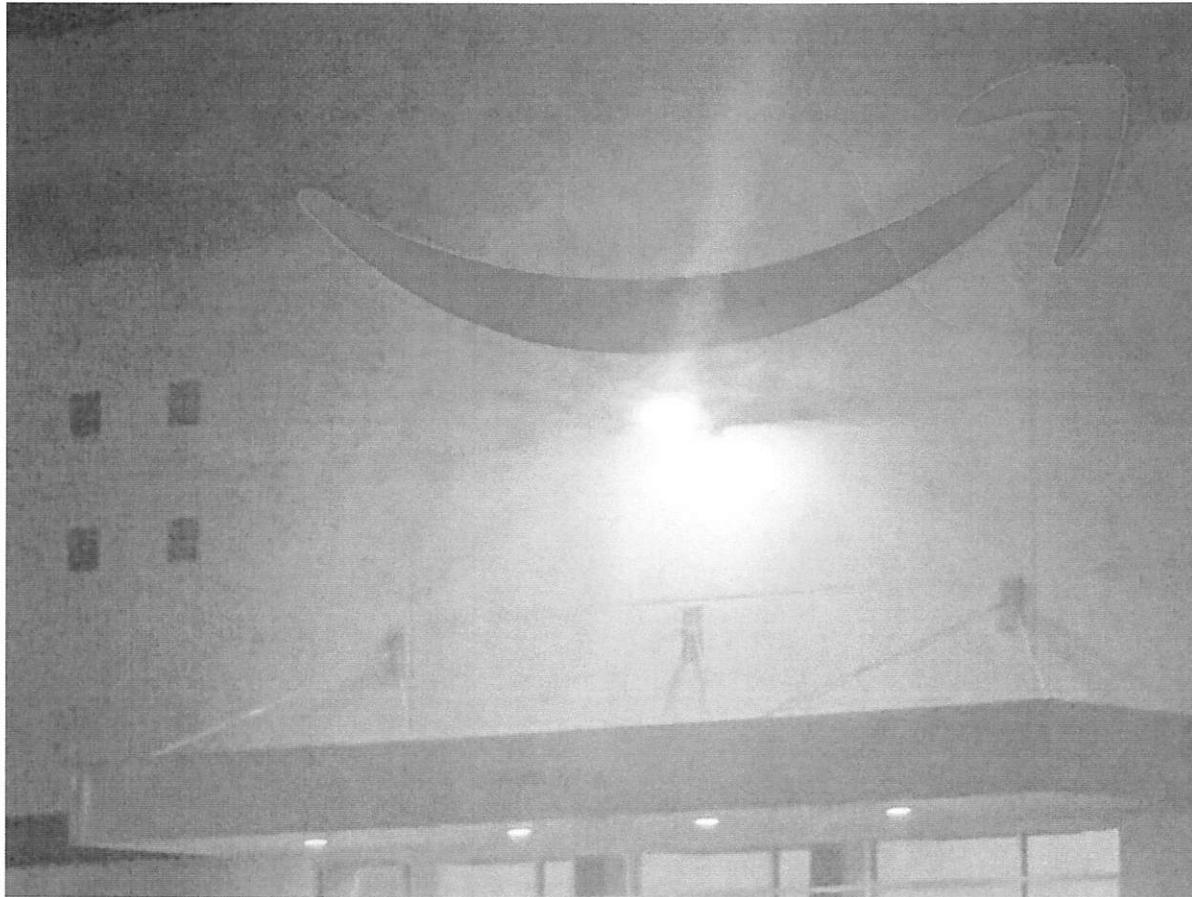
WINGO

3:21CV83-MPM-JMV

VS.

Amazon.com, Inc

COMPLAINT



UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF MISSISSIPPI

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Martrek D. Wingo

Plaintiff,

Vs.

1. Job Discrimination (Sex)  
JURY DEMAND

Amazon.com, Inc

3:21-cv-00083-MPM-JMV

Amazon.com Sales, Inc

Amazon.com Services LLC

Jeff Bezos (CEO)

Defendant.

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**COMPLAINT**

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A motion to dismiss under Rule 12(b)(6) should be granted only if it appears beyond a doubt that the plaintiff can prove no set of facts in support of its claim which would entitle it to relief. *Conley v. Gibson*, 335 U.S. 41, 48 (1957) (emphasis added); see also *Fed. R. Civ. P. 12(b)(6)*; *Bell Atlantic Corp v. Twombly*, 550 U.S. 540, 570 (2007). A motion under Rule 12(b)(6) merely tests the legal sufficiency of a complaint, requiring a court to construe the complaint liberally, assume all facts as true, and draw all reasonable inferences in favor of the plaintiff. *Twombly*, 550 U.S. at 556-57. A complaint should never be dismissed because the court is doubtful that the plaintiff will be able to prove all of the factual allegations contained therein. *Id.*

**NATURE OF THE CASE**

1. Amazon.com, Inc could have damaged Martrek Wingo's civil rights and if proven so punishment in the form but not limited to punitive damages are requested.
2. This is a lawsuit about improper procedures. HR. Human Resources. The improper procedures of Amazon.com, Inc Human Resources.

## **PARTIES**

3. Plaintiff, Martrek D. Wingo, is an adult resident citizen of 4194 Evening Star Cove, Memphis, TN 38125. WINGO is a male. 4. Defendant, Jeff Bezos (CEO), is an adult resident citizen of Evergreen Point Rd, Medina, WA 98039. BEZOS is a male. 5. Defendant, Amazon.com Services, LLC is a Limited Liability Corporation with its principal place of business at 410 Terry Ave. North, Seattle, WA, 98109-5210, doing business in the State of Mississippi at 191 Norfolk Southern Way, Byhalia, MS 38611. Amazon Services, LLC can be reached for service through their Registered Agent CORPORATION SERVICE COMPANY 7716 Old Canton Rd, Suite C Madison, MS 39110. 6. Defendant, Amazon.com Sales, Inc is a Corporation with its principal place of business at 410 Terry Ave. North, Seattle, WA, 98109-5210, doing business in the State of Mississippi at 191 Norfolk Southern Way, Byhalia, MS 38611. Amazon.com Sales, Inc can be reached for service through their Registered Agent CORPORATION SERVICE COMPANY 7716 Old Canton Rd, Suite C Madison, MS 39110. 7. Defendant, Amazon.com, Inc is a Corporation with its principal place of business at 410 Terry Ave. North, Seattle, WA, 98109-5210, doing business in the State of Mississippi at 191 Norfolk Southern Way, Byhalia, MS 38611.

## **JURISDICTION AND VENUE**

8. Northern District Court of Mississippi has federal question jurisdiction under 28 U.S.C. § 1331 for a cause of action arising under the Title VII of The Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, 42 U.S.C. 2000(e). This Court has authority to award costs and attorney's fees under 42 U.S.C. § 1988. 9. Venue is proper in this action pursuant to 28 U.S.C. § 1331 because the events or omissions giving rise to Plaintiff's claims occurred in Byhalia, Marshall County, Mississippi, which is within the Northern District of Mississippi, Oxford division.

## **EEOC**

10. Plaintiff timely filed Charges of Discrimination, Charge Number 490-2021-00260 with the United States Equal Employment Opportunity Commission (hereinafter, "EEOC") for Discrimination (Age, Sex, and Retaliation) on February 25th, 2021 against the Defendant. A true and correct copy of which are attached in EEOC Documents. Plaintiff received Notice of Suit Rights for the corresponding charge from EEOC dated March 11<sup>th</sup>, 2021. A true and correct copies of which are attached in EEOC Documents. The EEOC Charge Notice used the word Continuous.

11. The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. 42 U.S.C. 2000(e) states that a person or employer are defined as the entity that can be held liable for violating claims arising under Title VII. The Plaintiff has a right and is protected by federal law, the Constitution, and Title VII of The Civil Rights Act of 1964 from Retaliation, Harassment; and

**Hostile Work Environment.** Equal Employment Opportunity Act of 1972 states that an employee must first file a charge with the Equal Employment Opportunity Commission then wait to administrative remedies are exhausted before bringing a civil suit. See 42 U.S.C. § 2000e-5(e)(1); Younis v. Pinnacle Airlines, Inc., 610 F. 3d 359, 361 (6th Cir. 2010); and Parry v. Mohawk Motors of Mich., Inc., 236 F.3d 299, 309 (6th Cir. 2000).

### **STATEMENT OF FACTS**

12. On or about September 4<sup>th</sup>, 2020 The Area Manager walked up to Martrek Wingo in the Occupied Area and asked him to sign a document showing No Work was being done. Martrek Wingo asked why he was being asked to sign a document when the area had many with No Work on their screen at the moment. Martrek Wingo showed Ben Moorehead that when scanning his Amazon.com Badge to pull down orders No Work. The Area Manager than asked for Martrek Wingo to follow him to the Human Resources Office. When the Area Manager arrived at the Human Resources Office the Area Manager said Believe it or not No Work showed up for Martrek and he Must Go. While the Human Resource Manager was waiting to look at the document the Area Manager said to Martrek Wingo your Human Resource file should be canceled. Martrek Wingo immediately looked at the Human Resource Manager, a lady named Jordan McCollum, where she shook her head in the gesture No and said don't forget to sign the document. Martrek Wingo signed a document that included his face on it that said he was No Work. Martrek Wingo kept a copy of the document and gave the original to Jordan McCollum. As Martrek Wingo left the Human Resource Office work appeared on his screen.

13. On or about September 12<sup>th</sup> 2020 around the Area Managers Station. After a few minutes it was pretty much every person on the floor not working standing by the Area Managers Station except for Martrek Wingo. It looked like a meeting about to take place so Martrek Wingo went to be included were the Area Manager said we are watching Wingo work. Martrek Wingo became the only person left on the floor for a long period of time while everyone else was told not to work.

March 14<sup>th</sup> 2021 - Event #2 After lunch the Plaintiff came back early then came an after-lunch meeting occurred in the pick area. The after-lunch meeting was similar to what has been done all week after the after-lunch meeting about 20-30 people all went in the same direction towards the back of the warehouse (never done before). The Plaintiff follows the crowd and they make it to the powered equipment were most get on the OP machine and a black woman gets on the drive around. Martrek Wingo left and went back to the pick area and entered the outbound section. The Plaintiff did not see any activity from the group who went to the other area the rest of the night. The OP machines could not be seen entering and exiting the powered equipment area to the above storage items area which is normally is whats viewed. No activity from majority of Ben Mooreheads outbound area was mentally noted by the Plaintiff from 12:45am-4am.

What happened doing this time in that area; were most of the people in the pick area went to when performance Martrek Wingo was still under in the pick area. The group did not have any scan guns in their hand at the after-lunch meeting which was not just normal but always. Martrek Wingo was the only person who had a scan gun in his hand.

14. On or about October 3<sup>rd</sup>, 2020 The Area Manager said by the Area Managers Station in front of a large group at the beginning of their shift that" Martrek Wingo may be included but a 40-year-old I have to find a job for. Luckily, I won't find a job for a 40-year-old." The Area Manager said. There are about 2 40-year old's out of 80 people when there has been about as high as 600 people shown to Martrek Wingo on laptop by the Area Manager Ben Moorehead. The average age of people in Martrek Wingo's opinion is about age 24.
15. On or about October 8<sup>th</sup>, 2020 The Area Manager used the Plaintiffs name and called him Legally Blind.
16. On or about October 16<sup>th</sup> 2020 The Area Manager pulled Martrek Wingo to the side and said he was being written up for performance that he now needed to maintain a rate 3-5x the rate that was outline in initial training the first week. On the same day Operation's Reginald said to Martrek Wingo that his breaks were too long. Like you took 30 minutes for lunch. Lunch is 30 minutes long. Correctable action being civil rights violation; Martrek Wingo has asked the area manager if he could move to a multi build option people do every day and has done before; after several times asked (7) being seven times asked the area manager does not say or provide an option while others walk right up ask for the same option and receive a multi build option. The only rate given by Amazon.com, Inc is one item of activity every 6 mins (60 mins/6 10 items an hour) which is called TOT.

March 25<sup>th</sup> 2021 At the beginning of the shift the Area Manager Ben Moorehead told the Plaintiff that he was being written up for productivity his second that the rate was now 61. Less than a month ago the same Area Manager congratulated the Plaintiff for doing a good job and the rate was 32. The Plaintiff was at 121% of the rate. The Area Manager Ben Moorhead said he was going to train the Plaintiff under a learning ambassador. The learning ambassador was Amber a very attractive Caucasian female. Amber looked over the Area Manager's information and begun saying that all her people are under PPMIX and could not understand why the Plaintiff was not in that. It was new and everyone uses it now. Amber the Learning Ambassador said she definitely was not going to pick 61 individual items. What happened next was a gigantic wait. Amber the Learning ambassador logged into her computer and she did not have the permissions to switch the Plaintiff over to PPMIX from PPFloorSingles so she went around for about 20 mins trying to find someone who could while the Area Manager said he could not. A Black Lady walked by Amber the Learning Ambassador and Amber asked her "How do you like the new PPMIX system" The Black lady replied I'm doing OK my rate is at 300. The time was about (9:15pm) 21:15 and the Plaintiff waited to train with the learning ambassador an hour (10:15pm) 22:15 The learning ambassador Amber kept going

around to separate Operations Managers to get the permissions and asking why they could not switch Martrek Wingo to PPMIX and as the hour went by, she said ok I am ready and I will follow you. The Plaintiff was still in PPFloorSingles. The learning ambassador followed the Plaintiff for 30 mins and said everything is great just a little bit too fast.

The Plaintiff never got switched to PPMIX. The Learning Ambassador said she has not seen anyone do PPFloorSingles in quite some time. The Plaintiff watched the Learning Ambassador ask different people for an hour to switch the Plaintiff to PPMIX and login with the Plaintiff in that system. When she logged in the Plaintiff was not in that system nor did she have the permissions to switch it.

Randall a white badge employee from December who disappeared for a while (once mentioned in early February 2021 his attendance points became too high) remerged February 2021 with no performance 2Hrs doing no work on February 27<sup>th</sup>, 2021 switched to a laptop computer cart April 5<sup>th</sup>, 2021 to monitor the performance of others. White Badge less than 3 months in the Plaintiff's opinion appears to be quickly moving towards learning ambassador. Tyler was the Operations Manager during the shift and two and building people directly disputing with him why a white badge person was given a laptop to monitor their performance.

Kevin an Amazon.com, Inc blue badge employee appears to be doing nothing for an hour April 5<sup>th</sup> 2021

Security and Safety Cameras would show them not working for a long duration of time.

17. On or about November 28<sup>th</sup> 2020 At the Shipping Center (looks like Airport Terminal) Vanessa Operations said that Martrek Wingo was missing scans and failing to move packages. Prior to shift Vanessa Operations had a meeting where she gathered everyone together and pointed out two people and said that Martrek Wingo missed 83 and another employee missed 50. Martrek Wingo asked Vanessa to show how she sees that Martrek Wingo missed 83 and she said that she cannot see in the system at all live. Martrek Wingo asked her where did she get the 83 number from and she said wanted the group to focus on failed moves where Martrek Wingo was the most failed moves. Vanessa is not able to see individual scans or individuals moves. She then appeared to try to find an email report of a delayed way to show the information but again said that there is no way to see what she said in the meeting inside the Amazon.com, Inc system. Martrek Wingo was just told at a meeting in front of others he messed up 83 times. The Last Mile.
18. On or about January 3<sup>rd</sup> 2021 Martrek Wingo was monitoring the overall line when Patrick from Operations came and ask Martrek Wingo if he could go with him. Martrek ask him yeah what do you need and he said he did not need Martrek Wingo but Human Resources wanted to speak with Martrek Wingo. Martrek Wingo asked Patrick from Operations if he knew what for and he said he did not and was asked to just bring him.

Martrek Wingo arrived at Human Resources office again; (similar to event one) with the same Jordan McCollum in the office accompanied by a new Human Resource lady an African American lady Tameka. The Plaintiff sat down and Tameka began talking introducing herself and saying that she received lots of complaints. The Plaintiff asked her from when and what the complaints were and Jordan McCollum said she needed the Plaintiff to write an incident report of anything the Plaintiff could have done since the Plaintiff been inside the warehouse. Martrek Wingo said yeah, I can fill out an incident report. Tameka and Jordan McCollum left the room and Martrek Wingo filled out an incident report stating that he did not do anything in the warehouse in any way where there would be any complaints. That he did not ask for anyone's phone number yet and has not engaged in any out of line conversations. Tameka arrived back in the room first and when Jordan McCollum arrived and looked over the incident report, she said I'm going to have to put you on paid suspension. Martrek Wingo asked what for and she said to go over all the complaints. The Plaintiff asked her when were the complaints, who, where, what events; and she said she would put the Martrek Wingo on paid suspension and we will find out together. Martrek Wingo asked her how long would be the paid suspension. She said that he would receive a phone call. Martrek Wingo took a picture inside the Amazon.com, Inc app showing all income turning to salary paid suspension. A week later on January 7<sup>th</sup> 2021 Martrek Wingo came to talk to Jordan McCollum for an update where he was able to locate her and she said that they were understaffed and still reviewing all the cameras; that they had not found anything wrong yet; and that the Plaintiff was to remain on paid suspension.

The coming-of-age story of Chris. Chris, Caucasian Female, is a blue badge Amazon.com, Inc employee. She has always talked to the Plaintiff and the Plaintiff likes her dearly.

On January 2<sup>nd</sup> 2021 prior to first break Chris said to Martrek Wingo that she was going to be having sex tonight with guys in public but promised she would be using condoms. Prior to lunch break Chris said that she was going to be having sex tonight in public with three people and asked if the Plaintiff wanted to show sperm. The Plaintiff smiled and said nothing; Chris said tonight will be in Ben's area. Chris said to Martrek Wingo that she was in a sex circle with Ben Moorehead and tonight will be in public. When the Plaintiff walked outside to begin his Paid Suspension around 2:52am January 3<sup>rd</sup> 2021. The Plaintiff saw Chris entering into a dark black tinted window infinity with her see-thru orange backpack parked about 20 feet on the same empty backrow of the parking lot of the Plaintiff. The Plaintiff was told through various walking up to the Amazon.com, Inc building employee chatter on January 7<sup>th</sup> 2021 that a sex event did take place after Martrek Wingo left Sunday Morning January 3<sup>rd</sup> 2021. Chris an employee that the Plaintiff likes dearly has a twin sister named Olivia who swap shifts with her. They have worked together before and the Plaintiff speaks to whomever is working that day daily. Olivia was not present the morning of January 3<sup>rd</sup> 2021 prior to the Plaintiff's paid suspension. Chris is the twin who asked the Plaintiff very politely to show sperm. The last time Martrek Wingo seen the twins work together was Feb 27, 2021 after lunch midnight 12:00am when both entered separately about 5 mins apart in separate vehicles

wearing clear see-thru orange and blue backpacks. The Plaintiff saw them both that day throughout the morning. There also could have been another possible event including Chris on or about December 11<sup>th</sup> 4:40am.

19. On or about January 8<sup>th</sup> 2021 Martrek Wingo received a phone call from George. George said on voicemail; I wanted to talk to you on the phone; your terminated do not return to work. Martrek Wingo received an email shortly after from Amazon.com, Inc Mydocs with a termination letter and confidentiality letter.
20. On or about Jan 25<sup>th</sup> 2021 Martrek D Wingo's civil rights are being violated and he appealed. Martrek Wingo spoke with Sam and he told him he did something that falls in the category of a crime; that Martrek Wingo followed a girl home directly from the warehouse. Martrek Wingo was in shock he was never told of any of this before the appeal level. Martrek Wingo asked Sam did he have an incident report or a police report and Sam said he did not need an incident report or police report in the state of Mississippi. Was there even an investigation? Martrek Wingo never left the building with Chris that night. Martrek Wingo filled out the Appeal Software selecting a panel appeal process instead of a site leader; were a group of people from Amazon.com, Inc would take the information from Martrek Wingo and decide why the Martrek Wingo appeal should be approved. Inside the software Martrek Wingo stated: 1. Martrek Wingo; Amazon.com, Inc employee was terminated without being told specifically what he had done wrong. There has been no Event shown to him. Martrek Wingo received no specific dates, people, events and has stated that no wrong doing has been done. 2. Martrek Wingo would like the termination reversed and employment reinstated. Martrek Wingo spoke to Jordan McCollum of HR and was told that they did not see anything on camera yet; were understaffed and would need to look further. This is not an EVENT! Martrek Wingo selected that [Inaccurate application of policy] for the reason for the appeal. The other selections were [Inconsistent application of policy] and [Failure to properly apply policy] After waiting in emotional turmoil Martrek Wingo received an email to confirm a meeting with the "Sr. Site Leader" Martrek Wingo confirmed the meeting and was ready for a one-on-one meeting with Sam the Sr. Site Leader. Martrek Wingo spoke to Sam on phone conversation were after a brief introduction on both sides Sam mentioned Martrek Wingo walked out with a girl drove his car around the parking lot to meet with the girl; then after the girl left Martrek Wingo followed her home. The girl is Chris an Amazon.com, Inc employee that Martrek Wingo speaks to all the time almost every day. Sam asked what type of conversations that Martrek Wingo talk about with Chris and Martrek Wingo mentioned clothes, shoes, last conversation was Spiderman. On the night in question, December 28<sup>th</sup> 2020, Martrek Wingo walked out the building by himself and walked up to his car. Upon driving off Martrek Wingo looked down at the Amazon.com, Inc App on his phone and saw attendance points added for that day that caused him to quickly park his vehicle in a parking spot directly in front of him. Next to him was Chris in a white Nissan Rogue. Martrek Wingo kept looking at his App, did not say anything to Chris; and then drove off on his own. Sr. Site Leader Sam stated that Martrek Wingo appeared to be only in the parking space next to Chris for 45 secs and that no conversation occurred. The cameras show Martrek Wingo walked to his car by

himself, was only next to Chris no longer than 45 secs, never had a conversation with Chris that night in the parking lot; and left the warehouse with no cars in front or behind him before Chris. There were no reports to support Amazon.com, Inc claims. Sam stated there were no other events found on camera. Martrek Wingo stated Amazon.com, Inc found no other events inside or outside the building. Appeal Letter - Martrek Wingo received an appeal letter that stated that the policy was not applied properly or consistently in your situation and, as such, your appeal has been granted. From Martrek Wingo's restart date Martrek Wingo got an email after the appeal saying Immediate Response Required. The email stated that Martrek Wingo was about to be terminated for failure to show up to work. Martrek Wingo got another email saying Amazon Job Abandonment Notice that termination procedures have begun for failure to show up to work. On the appeal letter Martrek Wingo had a restart date week(s) from any scheduled employment. Martrek Wingo got his disabled Amazon.com, Inc A to Z App reenabled and saw 11.5 attendance points where 6.0 attendance points is enough to terminate an employee. If Martrek Wingo did not show up for work that Friday Martrek Wingo would have had 13 attendance points. 13. Martrek Wingo was put on the schedule weeks prior to his restart date. Martrek Wingo received an email saying time card and points corrections.

February 4<sup>th</sup> 2021 - The first day back when the Plaintiff arrived after his paid suspension the Area Manager Ben Moorehead said in the open area to Cristina, he does not know about the sex event that happened at 3:30 am the same day he got a paid suspension. Cristina said "what OK" What the Area Manager Ben Moorehead mentioned giving an exact time is similar to what Chris mentioned to the Plaintiff the day he received his paid suspension and saw Chris outside prior to leaving.

21. Martrek Wingo is currently an employee of Amazon.com, Inc - [www.Amazon.com](http://www.Amazon.com)

Jeff Bezos, current CEO of Amazon.com, Inc.

22. Written Deposition

Possible Discovery: 1 Person - (Jeff Bezos)

Amazon.com, Inc CEO - The System of Amazon.com

23. Age Limits on Hiring  
24. Performance Guidelines

- 25. Disability Guidelines
- 26. No Work Policy
- 27. Employee Review Policy
- 28. Equal and Fair Training Standards Policy
- 29. Incident Reporting and Incident Dispute Policy
- 30. Lunch

**THE CONTINUATION OF CHRIS**

- 31. On or about March 27<sup>th</sup> 2021 Martrek Wingo received over 30 people saying after he left at 4:25am on March 26<sup>th</sup> 2021 another playing around event took place at 4:34am. Where Chris took off her shoes and pulled her pants down saying who wants some of this? Kevin another Amazon.com, Inc employee started to mimic having sex behind her.
- 32. On or about April 3<sup>rd</sup> 2021 at 4:24 am Chris decided to work the last 20 mins naked. The Plaintiff worked on the line most of the night which is monitoring other people pack orders. When the Plaintiff first arrived on the line, he heard a choir echo saying she is going to get naked somewhere tonight. The Plaintiff did not say anything. At 3:20am Chris told the Plaintiff that she had sex with a new gentleman earlier today inside the building. The gentleman who was already staring at Martrek Wingo in a friendly manner stuck his head up waiting for more information. Chris then told Martrek Wingo that what she had to do today, it would be easier if you left earlier. Martrek Wingo left around the same time he normally leaves 4:25am. Supermodel Beauty. Chris

**STORM DUCK**

- 33. The Plaintiff seeks Security and Safety Camera footage from these calendar dates

November 28<sup>th</sup> 2020

Jan 2<sup>nd</sup> 2021

Jan 3<sup>rd</sup> 2021

Jan 3<sup>rd</sup> 2021

February 27<sup>th</sup> 2021

February 27<sup>th</sup> 2021

March 14<sup>th</sup> 20201

March 25<sup>th</sup> 20201

March 26<sup>th</sup> 2021

April 3<sup>rd</sup> 2021

April 5<sup>th</sup> 2021

## STATEMENT OF CLAIM

### COUNT I

#### Retaliation

Martrek Wingo entered into an Amazon.com, Inc HR room where he was asked to fill out an incident report on anything he may have done in the building. After filling out a no event incident report Martrek Wingo was retaliated against put on Paid Suspension and eventually Termination.

Martrek Wingo was brought into an Amazon.com, Inc HR room and made to sign a TOT report that showed no work singled out of a large area group. Martrek Wingo was retaliated against by given individual work while the rest of the group did nothing and did eventually went on to receive individual performance rate written up and increased while no one else over 9 months the Plaintiff has seen written up or even spoke to about performance. Retaliation from TOT 10 items an hour to Martrek Wingo's rate of 60 items an hour. 6x increase.

Martrek Wingo filled out an Amazon.com, Inc Appeal online software were after selecting a Amazon.com, Inc panel Martrek Wingo was retaliated by having it involuntarily switch to a sight leader and have the site leader read a self-made criminal report uttered only once and by the end of the conversation mentioned that it does not show up on camera. Retaliation. The Plaintiff was being told that he followed an individual all the way home when the cameras show the Plaintiff leaving before the individual. The Plaintiff selected an Amazon.com Panel. Retaliation.

Martrek Wingo successfully completed an Appeals process and he was Retaliated by sending out immediate response required emails and job abandonment emails. The Plaintiff was put on the schedule recklessly or intentionally and then fell into or forced into a category of job separation for bad attendance the same week Martrek Wingo received an Appeal Decision letter giving the Plaintiff a future start date

Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991

### COUNT II

#### Harassment (Hostile Work Environment)

Martrek Wingo entered into an Amazon.com, Inc warehouse where he was given 9 to 11 civil rights events pushing to termination and beyond where each event can be argued as harassment were the sure number of events and the severity of some of the events (intentional removal prior to a sex show) displays a hostile work environment.

**Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991**

**COUNT III**

**Unlawful Employment Practices**

(1.) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or

(2.) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

1. The Plaintiff was terminated (discharged) from his job based on Retaliation and the Plaintiffs gender; an individual Male without any evidence, told any event, or told any complaining party.
2. The Plaintiff has been limited into the Performance Process Path PPFloorSingles while watching new hires and almost every employee viewed have a different process. The Plaintiff has asked employees that are categorized floor singles their process path and all have stated a different process path than PPFloorSingles. The Plaintiff has asked the Area Manager to change from PPFloorSingles. PPMIX has never been done by the Plaintiff.

**Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991**

**COUNT IV**

**Mental Anguish**

Martrek Wingo was forced as a part of his employment to go through 9 to 11 civil rights events where he experienced severe utter shock, emotional distress, and turmoil. Martrek Wingo, you followed a girl home and we don't need any police reports or incident reports was the Appeal. Amazon.com, Inc

Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991

**COUNT V**

**Punitive Damages**

Martrek Wingo has experienced 8 possible mistakes and Martrek Wingo would like to abbreviate the word Possible Mistake as MISTAKE

**Possible Mistakes**

1. Procedure not properly applied (recklessness?)
2. Plaintiff selected a site panel to lessen the emotional impact of the appeal. The Plaintiff did not get a site panel the Plaintiff got a site leader.
3. The Plaintiff appears to be put on Paid Suspension directly prior to an Adult Entertainment show the same morning. (Intentional?)
4. The Plaintiff has moved into a 6x the TOT individualized performance model and limited on the process of how to achieve the performance.
5. The Plaintiff was told that on a previous work day by the department leader (operations) that the Plaintiff failed over 83 times to properly use the Amazon.com, Inc software. When the Plaintiff investigated it, no individual regional shipment building activity is saved by the Amazon.com, Inc software. The department manager mentioned she did not have a way to show me 83.
6. The Area manager moved people to a no work environment on more than one occasion while leaving the Plaintiff working.
7. Immediate Response required email saying the Plaintiff will be Terminated when the Plaintiff was not officially scheduled to work yet. A future start date was given.
8. The Plaintiff was subject gated to 9 to 11 civil rights events that can be argued as a hostile work environment all caused directly by Amazon.com, Inc Management.

Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991

**COUNT VI**

Job Discrimination (Sex)

The Plaintiff an American male, has worked at Amazon.com, Inc for over 9 months and has never seen anyone else taken to Human Resources pulled from the public in front of everyone. Martrek Wingo an American male, entered into Human Resources more than once and Human resources is a group that can determine job and career advancement. Amazon.com, Inc Human Resources terminated Martrek Wingo and admitted they were improper.

Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991

**COUNT VII**

Compensatory Damages

Martrek Wingo was Terminated with no reason given. Martrek Wingo was left in a grieving pain and suffering experience for almost a month waiting on an Appeal conversation and final decision. Amazon.com, Inc caused the Plaintiff to go through a way beyond typical employee experience. A bad malevolent experience. A no evidence termination experience. An Amazon.com, Inc experience lead by a Billionaire CEO.

Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991

**COUNT VIII**

Such other relief as the court may deem equitable and just

Martrek Wingo deserves all equitable offers the court can give. Front Pay. Martrek Wingo was terminated from his position and upon returning watched another individual move into a fast-track employee growth program. Martrek Wingo watched Randall move to performance monitoring while watching another employee Emiya move to Supply Chain Leadership. Termination can be argued to have caused this growth instability with the Plaintiff and equity awards like Front Pay allow the Plaintiff to become whole.

Title VII of the Civil Rights Act of 1964 • Civil Rights Act of 1991

**RELATED LEGAL CASES**

**SIMERS v. LOS ANGELES TIMES COMMUNICATIONS LLC**

\$15.4 Million

**Cheryl Fillekes v. Google LLC**

\$11 Million

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION v. TEXAS ROADHOUSE, INC.**

\$12 million

**Zulfer v. Playboy Enters. Inc**

\$6 million

**Channon v. United Parcel Service**

\$80.2 Million

**Lane v. Hughes Aircraft Co.**

\$40 Million

**EEOC v. Jackson National Life Insurance Company**

\$20.5 Million

**PUNITIVE DAMAGES**

The Plaintiff is suing Jeff Bezos (CEO), Amazon.com Sales, Inc, Amazon Services, LLC; and Amazon.com, Inc for \$20,500,000.

34. Punitive damages are an established practice of American common law, traditionally assessed against defendants in civil cases to punish past misconduct and to deter future misconduct.

35. The defendant's wealth is an important part of the punitive damage's equation.

In *Las Palmas Assocs. v Las Palmas Center Assocs.* (1991)235 CA3d 1220, 1243, 1 CR2d 301, the court stated.

36. Because punitive damages are intended to punish the wrongdoer, a wealthy wrongdoer should face a higher punitive damages award than a less wealthy party. *Neal v Farmers Ins. Exch.* (1978)21 C3d 910, 928, 148 CR 389 ("the function of deterrence . . . will not be served if the wealth of the defendant allows him to absorb the award with little or no discomfort").

37. 2013 Mississippi Code Title 11 § 11-1-65 - Punitive damages; limitations under applicable laws, no award of punitive damages shall exceed the following:

(i) Twenty Million Dollars (\$ 20,000,000.00) for a defendant with a net worth of more than One Billion Dollars (\$ 1,000,000,000.00);

**PRO SE**

38. Plaintiff is a Pro Se Plaintiff. As a Pro Se Plaintiff pleadings are held to a “less stringent standard” than “formal pleadings drafted by lawyers.” (Haines v. Kerner) Due process protects the right to self-representation from arbitrary denial. It ensures a pro se litigant’s claim will be heard despite a litigant’s potential lack of familiarity with procedure. (Haines v. Kerner)

39. In subsequent cases, this standard has been expressed as requiring “a good faith” attempt to comply. (Kaiser v. Sakata)

40. Conley v. Gibson, 355 U.S 41 at 48 (1957) stated “Following the simple guide of rule 8(f) that all pleadings shall be so construed as to be substantial justice”... “The federal rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleadings is to facilitate a proper decision on the merits.” The court also cited Rule 8(f) FRCP, which holds that all pleadings shall be construed to do substantial justice. Jenkins v. McKeithen 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2<sup>nd</sup> 240; Pucket v. Cox, 456 2<sup>nd</sup> 233 state that Pro se pleadings are to be considered without regard to technicality; pro se litigants’ pleadings are not to be held to the same high standards of perfection as lawyers.

### **CALCULATED DAMAGES**

#### **41. 3 Categories of Discrimination**

**2 Federal Laws**

**1 Federal Jurisdiction**

#### **3 Categories of Discrimination**

Age

Sex

Retaliation

#### **2 Federal Laws**

Title VII of the Civil Rights Act of 1964

Civil Rights Act of 1991

#### **1 Federal Jurisdiction**

Oxford Division

#### **Areas of Compensation**

##### **1. Front Pay**

Front pay is an equitable remedy (type of "damages") awarded in some employment claims involving wrongful termination or other kinds of workplace disputes. Front pay is meant to compensate employees in a way that would make them "whole", so as if the termination never happened.

##### **2. 4:30**

The Plaintiff wanted the court to know he is an avid runner who runs under 4:30

##### **3. Punitive Damages**

A Punitive Damages award is a monetary award against the defendant to punish the wrongdoer for bad acts and deter similar bad conduct by others in the future.

4. Compensatory

(of a payment) intended to recompense someone who has experienced loss, suffering, or injury.  
"\$50 million in compensatory damages"

5. Mental Anguish

Mental anguish is an element of non-economic damages usually sought in personal injury cases, medical malpractice and sometimes defamation cases. Generally, "mental anguish" translates to certain types of suffering that may include distress, anxiety, fright, depression, grief, or trauma.

6. Attorney Fees

The amount billed to a client for legal services performed on his or her behalf. Attorney's fees may be an hourly, flat (for a particular service, e.g., \$10,000 to handle all aspects of a DUI case) or contingent fee (a percentage of client's recovery, e.g., 33%).

9 to 11 Civil Rights Events Job Discrimination Events

**WEREFORE** Plaintiff demands judgement not exceeding \$20,500,000 against Jeff Bezos (CEO), Amazon.com Sales, Inc, Amazon.com Services LLC; Amazon.com, Inc as follows

- A. Compensatory Damages including damages to career path, damages to reputation; and pain and suffering damages.
- B. Damages for Mental Anguish
- C. Reimbursement for negative tax consequences resulting from a jury verdict
- D. Punitive Damages
- E. Attorney's fees and cost of suit; and
- F. Such other relief as the court may deem equitable and just
- G. Front Pay

Martrek Wingo  
Plaintiff  
Pro Se

By: \_\_\_\_\_

Martrek Wingo  
Plaintiff  
Martrekwingo@zoho.com

4194 Evening Star Cove  
Memphis, TN 38125  
(901) 210-6367

### **Jury Demand**

Plaintiff Martrek Wingo demands trial by jury with respect to all issues that are so triable.

Martrek Wingo  
Plaintiff  
Pro Se

By: \_\_\_\_\_

**Martrek Wingo**  
**Plaintiff**  
[martrekwingo@zoho.com](mailto:martrekwingo@zoho.com)